

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY L. ELMORE and,
JACHDIEL R. ELMORE,

Plaintiffs,

v.

Case No. 1:08-cv-130
Hon. Hugh W. Brenneman, Jr.

TOYOTA FINANCIAL SERVICES and,
8th DISTRICT PROPERTY RECOVERY,

Defendants.

ORDER

Plaintiffs seek to amend their complaint. As an initial matter, plaintiffs have attempted to e-file three motions to amend their complaint (docket nos. 22, 23 and 26). Two of those attempted filings, docket nos. 22 and 23, have been disregarded by the court as improperly e-filed. This matter is now before the court on their “2nd [sic] motion to amend complaint” (docket no. 26), which was filed on April 21, 2008. Plaintiffs’ motion will be denied.

First, plaintiffs have failed to indicate that they attempted to obtain defendants’ concurrence with their motion as required by W.D. Mich. LCivR 7.1(d).

Second, plaintiffs have failed to file a brief in support of their motion pursuant to W.D. Mich. LCivR 7.1(a), which provides as follows:

All motions, except those made during a hearing or trial, shall be accompanied by a supporting brief. Any party opposing a written motion shall do so by filing and serving a brief conforming to these rules. All briefs filed in support of or in opposition to any motion shall contain a concise statement of the reasons in support of the party’s position and shall cite all applicable federal rules of procedure, all applicable local rules, and other authorities upon which the party relies. Briefs shall not be submitted in the form of a letter to the judge.

In this regard, plaintiffs have failed to identify the legal standard applicable to their motion.

Accordingly, plaintiffs' "2nd [sic] motion to amend complaint" (docket no. 26) is
DENIED.

IT IS SO ORDERED.

Dated: May 8, 2008

/s/ Hugh W. Brenneman, Jr.
HUGH W. BRENNEMAN, JR.
United States Magistrate Judge